

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JERRY DEWAYNE WASHINGTON JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	C.A. No. 24-715-JLH
AIR WATER INC., HITEC HOLDING BV,	)	
HITEC POWER PROTECTION	)	
INTERNATIONAL B.V., and HITEC	)	
POWER PROTECTION INC.,	)	
	)	
Defendants.	)	

**ORDER**

At Wilmington, this 23rd day of December, 2024,

WHEREAS, on June 18, 2024, Plaintiff filed a Complaint (D.I. 1) alleging infringement of United States Patent No. 7,108,095 (“’095 patent”);

WHEREAS, on September 30, 2024, Defendant HITEC Power Protection Inc. filed a Motion to Dismiss for Failure to State a Claim (D.I. 15), which Defendants HITEC Power Protection International B.V. and HITEC Holding B.V. have joined (D.I. 22, 24);

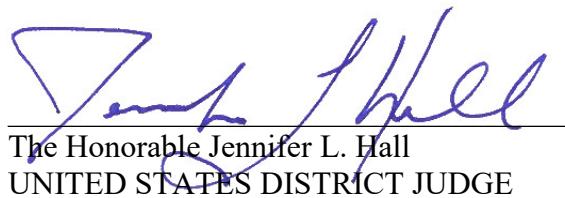
WHEREAS, the Court has reviewed the briefing (D.I. 15, 17, 21) and relevant authorities;

WHEREAS, the Complaint (D.I. 1) identifies at least one accused product, includes a claim chart with photographs of accused products, and alleges that the accused products meet all elements of the ’095 patent claims, and the Complaint sufficiently puts the moving defendants on notice of what is being accused of infringement;<sup>1</sup>

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<sup>1</sup> *Bot M8 LLC v. Sony Corp. of Am.*, 4 F.4th 1342, 1352 (Fed. Cir. 2021) (“A plaintiff is not required to plead infringement on an element-by-element basis.”).

NOW, THEREFORE, IT IS HEREBY ORDERED that the Motion to Dismiss (D.I. 15) is DENIED.



The Honorable Jennifer L. Hall  
UNITED STATES DISTRICT JUDGE